

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION

CIVIL NO. 1:09CV126

MICHAEL E. McAFEE,

Plaintiff,

Vs.

FEDERAL EXPRESS, INC.,

Defendant.

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ORDER OF DISMISSAL

THIS MATTER is before the Court on the Plaintiff's nonpayment of the filing fees herein.

On March 31, 2009, the Court denied the Plaintiff's application to proceed in *forma pauperis* and directed that the required filing fees be paid to the Clerk within 20 days of entry of the Order. **See Order, filed March 31, 2009, at 2.** The Order warned Plaintiff that his failure to pay the fees would result in summary dismissal of the action. *Id.* The deadline for payment was April 20, 2009; to date, the filing fees have not been paid.

IT IS, THEREFORE, ORDERED that this action is hereby **DISMISSED** for failure to pay the required filing fees.

Signed: May 12, 2009

A handwritten signature in dark ink, appearing to read 'L. H. Thornburg', is written over a horizontal line.

Lacy H. Thornburg
United States District Judge

